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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,027	09/17/2003	David P. Durkin	200304161-2	7933
7590	05/03/2005		EXAMINER	
			ENG, GEORGE	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/666,027	DURKIN, DAVID P.	
	Examiner	Art Unit	
	George Eng	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 15 November 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-25 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 11/15/2004.

Terminal Disclaimer

2. The terminal disclaimer filed on 11/15/2004 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US PATENT 6,647,099 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sells et al. (US PAT. 5,471,522 hereinafter Sells) in view of Sasuta (US PAT. 5,313,653).

Regarding claim 1, Sells discloses a method of communication in a system comprising the steps of receiving a request to establish a telephony call (col. 4 lines 65-66), establishing the telephony call in response to the request (col. 4 line 66 through col.5 line 1), detecting for an

indication of a type of telephony call after establishing the telephony call (col. 5 line 1-4). Sells differs from the claimed invention in not specifically teaching the steps of storing data relating to security of the system and determining whether the type of the telephony call is permitted based on the permission data relating to security for the system. However, Sasuta teaches an a method for a communication system to maintain a database to store permission data relating to security of the system and determining whether the requested type of service is permitted in response to an entry, i.e., the permission data relating to security for the system, thereby reducing channel traffic relating to system services (figure 2 and col. 2 line 58 through col. 3 line 30). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Sells in having the steps of the steps of storing data relating to security of the system and determining whether the type of the telephony call is permitted based on the permission data relating to security for the system, as per teaching of Sasuta, in order to reduce channel traffic related to system services.

Regarding claims 2-4, Sells discloses the step of detecting that the indication indicates one of a data call, voice call and fax call (col. 5 lines 1-4).

Regarding claim 5, Sasuta teaches to access the permission data, which the permission data indicates types of telephone calls that are permitted and not permitted based on security requirements of the system (col. 3 line 31 through col. 4 line 26).

Regarding claims 6-8, Sells teaches to detect for the indication comprising a modem detecting for a tone including at least one of an FSK tone, CNG tone, fax answer tone, and fax training tone, so that the indication of a voice call in response to the modem not detecting any of the FSK tone, CNG tone, fax answer tone, and fax training tone (col. 5 lines 5-30).

Regarding claim 9, Sell teaches to ignore, i.e., disconnect, the request for the type of telephone server when the telephone service is not specified (col. 11 lines 1-3).

Regarding claims 10-11, Sasuta teaches the database for storing the permission data, wherein the receiving, establishing, detecting, and determining steps are performed by the system (col. 4 lines 1-26). Note Sasuta teaches to update the appropriate system service elements, which is related to communication application (col. 4 lines 18-26) so that one skill in the art would recognize to update the permission data through a telephony application programming interface.

Regarding claim 12, Sasuta teaches the resource allocator capable of grant or deny the communication selected by the communication unit (abstract) so that one skill in the art would recognize Sasuta teaching the storing, receiving, establishing, detecting and determining acting as part of firewall feature.

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 14, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claims 15-17, the limitations of the claims are rejected as the same reasons set forth in claims 6-8.

Regarding claims 18-19, Sasuta teaches a microprocessor incorporated with a digital memory to perform the operation (col. 2 lines 35-57) so that one skill in the art would recognize Sasuta teaches the microprocessor further comprising a software code and a processor on which

the software code is executable, and a firmware and a modem on which the firmware is executable (col. 2 lines 43-62).

Regarding claim 20, the limitations of the claim are rejected as the same reasons set forth in claim 12.

Regarding claim 21, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 22, the limitations of the claim are rejected as the same reasons set forth in claims 2-4.

Regarding claim 23, the limitations of the claim are rejected as the same reasons set forth in claim 12.

Regarding claims 24-25, Sasuta teaches the permission data indicating types of telephone services that are permitted and not permitted based on security requirements of the system (col. 2 line 61 through col. 3 line 8).

Response to Arguments

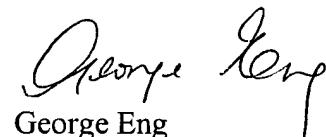
5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (571) 272-7495. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng
Primary Examiner
Art Unit 2643